

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

STEPHEN LOUIS MITCHAM

Petitioner,

v.

RON DAVIS, Acting Warden of California  
State Prison at San Quentin,

Respondent.

Case No. 97-CV-03825-LHK

**JUDGMENT**

Pursuant to this Court's Order of May 1, 2015, (ECF Doc. No. 409), and previous Orders in this matter, the petition for a writ of habeas corpus is GRANTED on the basis of claim D's subclaim of ineffective assistance of counsel, and petitioner's judgment of conviction and sentence of death are VACATED. The State of California shall either release or retry petitioner, in compliance with California state law and the United States Constitution. Petitioner's remaining claims are dismissed as moot.

**IT IS SO ORDERED.**

DATED: June 1, 2015

  
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LUCY H. KOH  
UNITED STATES DISTRICT COURT

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JUDGMENT